# Report of the Nevada P-16 Advisory Council Subcommittee on Governance Structure

July 3, 2012

Stacy Woodbury, Chair Erin Cranor Linda Johnson

The Subcommittee on Governance Structure met on July 3, 2012. Per the May 11, 2012 direction of the P-16 Advisory Council, the Subcommittee is providing drafts of key documents necessary to establish legal authority for the development of Nevada's P-20W statewide longitudinal data system (SLDS).

#### Recommendations

The Subcommittee recommends that Nevada develop a federated system for its P-20W SLDS with contributing agencies responsible for the ownership of their data and its integration into the hub.

Initial groundwork for the matching hub of the system will be housed in the Nevada Department of Education and funded by its federal grant, which will also fund a feasibility study estimated to be completed by June of 2013. A final determination regarding in which agency the P-20W SLDS shall be housed should be made after the completion of the feasibility study.

The Subcommittee recommends initial governance structure for the P-20W SLDS be established by Executive Order of the Governor with final policy making authority given to the P-16 Advisory Council (see **Attachment A**). The P-16 Advisory Council shall be responsible for development and policy oversight of the P-20W SLDS, and shall set the policy and research agenda for the system and make final determinations regarding the goals and policy areas to be addressed by the system. The Council should be vested with authority to enact cross-agency directives within the Executive Branch to carry out its duties with regard to the P-20W SLDS.

The Executive Order would further establish the Data Governance Committee for Nevada's P-20W SLDS under the auspices of the P-16 Advisory Council. The initial members of Data Governance Committee shall be the Superintendent of Public Instruction, the Chancellor of the Nevada System of Higher Education, the Director of the Department of Employment, Training and Rehabilitation and any other representatives deemed necessary and appropriate by the P-16 Advisory Council. The Data Governance Committee shall report to the P-16 Advisory Council a minimum of at least once each quarter, and the P-16 Advisory Council would in turn provide a status report to the Governor each quarter.

The Subcommittee recommends that the P-16 Advisory Council provide guidance to the Data Governance Committee through adoption of Bylaws (see **Attachment B**). The Data Governance Committee would be authorized to establish workgroups to accomplish its work; however, in order to

maintain both flexibility and forward momentum in the planning and development process for the P-20W SLDS the Subcommittee does not recommend such workgroups be established at this time.

Rather, the Subcommittee recommends the Data Governance Committee members work cooperatively as individuals and agencies in the areas of data research and data management. A data research team should be assembled with representatives of each contributing data agency to communicate and work with the P-16 Advisory Council and/or the Data Governance Committee regarding development of the policy research agenda and prioritize goals for the P-20W SLDS. Such team should be comprised of designees with knowledge of their agency data structures/systems, data elements and data capacity, as well as policies and restrictions regarding data sharing. A data management team should be assembled with information technology representatives of each contributing data agency to discuss technical requirements and aspects of the system, as well as ensuring consistent data definitions and data matching.

Ultimately all data contributors will need to enter into cooperative legal agreements to facilitate the sharing of data. The Subcommittee has no recommendations regarding such agreements at this time, as recommendations should be made after a final determination is made regarding which state agency will be permanently housing the P-20W SLDS.

The Subcommittee further recommends preparation of a bill draft for consideration by the 2013 Nevada Legislature to establish policy authority for the P-20W SLDS in statute. The Subcommittee has provided a markup of Senate Bill 305 of the 2011 legislative session for this purpose (see **Attachment C**). Senate Bill 305 proposed transformation of the P-16 Advisory Council into a P-20 Leadership Council. The Subcommittee makes no recommendation regarding the membership composition of the P-20 Leadership Council, as that recommendation is more appropriate for discussion by the full P-16 Advisory Council.

# EXECUTIVE ORDER BY THE GOVERNOR AUTHORIZING THE P-16 ADVISORY COUNCIL TO ESTABLISH A STATEWIDE LONGITUDINAL DATA SYSTEM

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;"

WHEREAS, Nevada Revised Statutes 400.030 establishes the P-16 Advisory Council; and

WHEREAS, Nevada Revised Statutes 400.040 requires the P-16 Advisory Council to address methods to: ensure that K-12 student data is linked with Nevada's university system; ensure that the course work, standards and assessments required of pupils in secondary schools is aligned with the workload expected of students at the postsecondary level; ensure collaboration among the business community, members of the academic community and political leaders to set forth a process for developing strategies for the growth and diversification of the economy of this State; and develop policies relating to workforce development; and

WHEREAS, Executive Order 2011-17 issued on October 7, 2011 required the P-16 Advisory Council to make recommendations for the design and implementation of a statewide longitudinal data system (SLDS) to track student and educator data from early childhood through postsecondary levels of education and into the workforce; and

WHEREAS, Development of a comprehensive, robust P-20W SLDS linking preschool, K-12 and higher education data with postsecondary and workforce data system will provide critical information necessary to improve and target elementary and secondary instructional efforts, advance college and career readiness and create postsecondary programs which will meet the future needs of employers necessary to diversify Nevada's economy; and

WHEREAS, A seamless, unified information sharing system enabling data-driven decision making along the P-20 and workforce continuum will provide stakeholders in public education including educators, policymakers, and communities with a comprehensive, integrated data and analysis system for informed decision making which will lead to educational improvement at all levels;

WHEREAS, Nevada's P-20W SLDS will facilitate evaluation of student progress along the P-20 continuum and into the workforce and of teacher effectiveness from pre-kindergarten through post-secondary education, allowing for introduction of innovation and change throughout the P-20 continuum and providing policy makers with an evaluation of return on investment in educational services, programs and initiatives;

WHEREAS, Planning for Nevada's P-20W SLDS must include a cross agency governance structure; and

WHEREAS, The P-16 Advisory Council has provided recommendations regarding the data governance structure of Nevada's P-20W SLDS.

NOW, THEREFORE, I, Brian Sandoval, Governor of the State of Nevada, by virtue of the power and authority vested in me by the Constitution and laws of the State of Nevada do hereby order as follows:

- 1. The P-16 Advisory Council shall be responsible for development and policy oversight of a comprehensive P-20W SLDS linking preschool, K-12 and higher education data with postsecondary and workforce data. The Council shall set the policy and research agenda for the system and make final determinations regarding the goals and policy areas to be addressed by the system. The Council is vested with authority to enact cross-agency directives within the Executive Branch to carry out its duties with regard to the P-20W SLDS.
- 2. A Data Governance Committee for Nevada's P-20W SLDS is established under the P-16 Advisory Council. The initial members of Data Governance Committee shall be the Superintendent of Public Instruction, the Chancellor of the Nevada System of Higher Education, the Director of the Department of Employment, Training and Rehabilitation and any other representatives deemed necessary and appropriate by the P-16 Advisory Council. The Data Governance Committee shall report to the P-16 Advisory Council a minimum of at least once each quarter;
- 3. The Data Governance Committee shall establish guidelines for the P-20W SLDS related to the following:
  - (a) Managed data access.
  - (b) Technology.
  - (c) Privacy and security.
  - (d) Adequacy of training.
  - (e) Adequacy of data model implementation.
  - (f) Data sharing.
  - (g) Appropriate data elements for inclusion in the SLDS.
  - (h) Resolution of data conflicts.
- 3. The Data Governance Committee shall provide analyses and recommendations to the P-16 Advisory Council regarding:
  - (a) technology spending.
  - (b) The control of data confidentiality and data security for stored data and data in transmission.
  - (c) Access privileges and access management.
  - (d) Data audit management, including data quality metrics, sanctions and incentives for data quality improvement.

- (e) Data standards for stored data and data in transmission, including rules for definition, format, source, provenance, element level and contextual integrity.
- (f) Documentation standards for data elements and systems components.
- (g) Data archival and retrieval management systems, including change control and change tracking.
- (h) Publication of standard and ad hoc reports for state and local level use on student achievement.
- (i) Publication of implementation timelines and progress.
- 4. The P-16 Advisory Council shall provide a status report to the Governor's office regarding development of the P-20W SLDS a minimum of once each quarter.

IN WTINESS WHEREOF, I have hereunto set
my hand and caused the Great Seal of the
State of Nevada to be affixed at the State
Capitol in Carson City, this day of
August, in the year two thousand twelve.
Governor of the State of Nevada

#### DRAFT BYLAWS NEVADA P-20W SLDS GOVERNANCE COMMITTEE

Note: Language is developed from bylaws, charter documents, governance documents, and/or e-mail communications with staff associated with statewide longitudinal data system governance committees of the following states: FL, KY, MD, MN, TX, and UT. Vision and mission language was adopted by the NV P-16 Advisory Council in March 2012. This draft incorporates the work of the subcommittee that took place in an open meeting of the subcommittee on July 3, 2012 and input by the Data Quality Campaign that was provided at that subcommittee meeting.

Note: Throughout this document, the following acronyms and references apply:

- Council refers to the Nevada P-16 Advisory Council.
- Committee refers to Nevada's P-20W SLDS Governance Committee.
- Nevada P-20W SLDS refers to the proposed Nevada P-20W Statewide Longitudinal Data
   System that will include data from the entire P-20 continuum as well as workforce data.

#### I. AUTHORITY

The Committee:

- exists to accomplish the vision, mission and objectives of the Nevada P-20W SLDS, as defined by the Council.
- is comprised of qualified individuals appointed via these bylaws, which may be adopted and/or amended by majority vote of a quorum of the Council.
- executes deliverables and meets deadlines established by majority vote of a quorum of the Council.
- is vested by the Governor of the State of Nevada with the authority to create formal interagency directives toward execution of deliverables defined by a majority vote of a quorum of the Council.
- is empowered as a body to appoint subcommittees as detailed herein.

These bylaws detail the manner in the Committee, under the direction of the Council, will execute the purposes set forth in Executive Order(s) [*insert number/date*] to build, maintain and facilitate appropriate use of the Nevada P-20W SLDS.

With respect to participating agencies and organizations, Memoranda of Agreement and other legal documents relevant to the work of the Committee will be approved by and housed with the Council or its designee(s).

With respect to participating agencies and organizations, Data Sharing Agreements and other procedural documents relevant to the work of the Committee will be approved by and housed with the Committee or its designee(s).

The Committee and any subcommittee(s) formed by the Committee as a body are subject to and comply with Nevada's Open Meeting Law. All Memoranda of Agreement, Data Sharing Agreements and other documents executed to accomplish the purposes of Nevada's P-20W SLDS comply with applicable state and federal law.

The [**state agency**] is the agency authorized to house the Nevada P-20W SLDS and to facilitate the work of the Committee.

#### II. PURPOSE

The mission of the Committee is to build and maintain the Nevada P-20W SLDS, and to facilitate its use toward the following Nevada P-20W SLDS vision, mission and objectives, defined by the Council:

#### Vision:

A seamless, unified information sharing system enabling data-driven decision making along the P-20 and workforce continuum.

#### Mission:

Nevada's P-20W SLDS will provide stakeholders in public education including educators, policymakers, and communities with a comprehensive, integrated data and analysis system for informed decision making which will lead to educational improvement at all levels.

#### **Objectives:**

Nevada's P-20W SLDS will facilitate:

- evaluation of student progress along the P-20 continuum and into the workforce.
- evaluation of teacher effectiveness from pre-kindergarten through post-secondary education.
- introduction of innovation and change throughout the P-20 continuum.
- evaluation of return on investment in educational services, programs and initiatives.

#### **Deliverables:**

Toward accomplishment of the objectives, mission and vision of the Nevada P-20W SLDS, the Council will propose, monitor progress toward, and adjust, as necessary over time, focused and deadline-specific deliverables of the Committee. Deliverables, deadlines, and monitoring

information will be recorded in the minutes of the Council and will be posted online. The Council may request the assistance of the Committee and/or its working groups in defining deliverables in contexts appropriate to data management capabilities.

At least quarterly, the Committee will report progress toward deliverables, objectives, mission and vision of the P-20W SLDS to the Council.

#### **Directives:**

Toward accomplishment of its deliverables and objectives, the Committee is authorized to facilitate the creation of cross-agency Data Sharing Agreements and is further authorized create formal directives defining cross-agency roles, processes and deadlines for data collection, storage and use.

#### III. RESOURCES

The Council will engage in collaborative resource development toward long-term viability of Nevada's P-20W SLDS.

The Committee will compile and regularly deliver to the Council an accounting of in-kind and financial resources needed and/or appropriated by each member entity toward accomplishment of the purposes and deliverables of the Committee.

#### IV. COMPOSITION

The Committee is comprised of the key decision maker of each contributing agency, and one non-voting facilitator, detailed as follows:

#### **Committee Membership**

- Nevada Department of Education: State Superintendent, representing NDE, early learning organizations, school districts, and charter schools
- Nevada System of Higher Education: Chancellor, representing institutions of higher education
- Nevada Department of Employment, Training and Rehabilitation: Director

#### **Facilitator**

Because Nevada's P-20W SLDS will be housed in the [*state agency*], the [*agency director*] shall appoint a qualified member of [*the state agency*] staff as a non-voting facilitator to the Nevada P-20W SLDS Governance Committee.

#### **Future Membership**

It is anticipated that future contributors to governance of Nevada's P-20W SLDS may include additional agencies and organizations. Council may thus expand, via amendment to these bylaws, membership in the Committee in the future.

#### V. SUBCOMMITTEES

In addition to its authority to create cross-agency directives toward execution of Council directives, the Committee is authorized, as a body, to establish and appoint membership to formal subcommittee(s). Any subcommittee formed by the Committee as a body is subject to Nevada's Open Meeting Law.

SENATE BILL NO. 305–SENATOR CEGAVSKE MARCH 21, 2011

Referred to Committee on Finance SUMMARY—Creates the P-20 Leadership Council. (BDR 34-365) FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted. AN ACT relating to education; creating the P-20 Leadership Council and prescribing the membership, duties and powers of the Council; repealing the provisions creating the P-16 Advisory Council; and providing other matters properly relating thereto.

#### **Legislative Counsel's Digest:**

- 1 Existing law creates the P-16 Advisory Council to assist in the coordination
- 2 between elementary, secondary and higher education in this State and prescribes
- 3 the membership, duties and powers of the P-16 Advisory Council. (Chapter 400 of
- 4 NRS) This bill repeals the provisions creating and governing the P-16 Advisory
- 5 Council and creates the P-20 Leadership Council to assist in the coordination
- 6 among entities representing public elementary, secondary and higher education in
- 7 this State and to coordinate the provisions of education from the level of preschool
- 8 through the completion of a postgraduate degree program.  $\boldsymbol{Section}\;\boldsymbol{5}$  of this bill
- 9 prescribes the membership of the P-20 Leadership Council to consist of seven
- 10 members appointed by the Governor, Majority Leader of the Senate and the
- 11 Speaker of the Assembly. **Section 7** of this bill prescribes the powers and duties of 12 the P-20 Leadership Council.
- 1 WHEREAS, The Board of Regents of the University of Nevada is
- 2 established pursuant to Section 7 of Article 11 of the Nevada
- 3 Constitution and is empowered to control and manage the affairs of
- 4 the University; and
- 5 WHEREAS, Matters relating to public education are vitally
- 6 important to the future of the State of Nevada, its economy and the
- 7 general welfare of its residents; and
- 8 WHEREAS, In light of the growing enrollment in Nevada's
- 9 system of public elementary and secondary education and Nevada's

1 system of public higher education, it is important that the Nevada 2 Legislature, the Board of Regents of the University of Nevada, the 3 State Board of Education and the Executive Branch of the State 4 Government work together as partners in developing a public 5 agenda to advance public education in this State; and 6 WHEREAS, The development of an agenda to advance public 7 education should be carried out with a view toward seeking input 8 from all parties who have a stake in the advancement of public 9 education in this State; and 10 WHEREAS, Coordination among entities representing public 11 elementary, secondary and higher education in this State must be 12 strengthened to ensure that pupils enrolled in grade 12 in the public 13 schools of this State are prepared adequately to make the transition 14 from secondary education to higher education or to careers; now 15 therefore. 16 17 THE PEOPLE OF THE STATE OF NEVADA. REPRESENTED IN 18 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS: 20 **Section 1.** Title 34 of NRS is hereby amended by adding 21 thereto a new chapter to consist of the provisions set forth as 22 sections 2 to 8, inclusive, of this act. 23 Sec. 2. As used in this chapter, unless the context otherwise 24 requires, the words and terms defined in sections 3 and 4 of this 25 act have the meanings ascribed to them in those sections. 26 Sec. 3. "Council" means the P-20 Leadership Council 27 created by section 5 of this act. 28 Sec. 4. "System" means the Nevada System of Higher 29 Education. 30 Sec. 5. 1. The P-20 Leadership Council, consisting of seven 31 voting members, is hereby created to assist in the coordination 32 among entities representing public elementary, secondary and 33 higher education in this State and to coordinate the provision of 34 education from the level of preschool through the completion of a 35 postgraduate degree program. The Chancellor of the System and 36 the Superintendent of Public Instruction serve as ex officio 37 nonvoting members of the Council. 38 2. The Governor shall appoint four members to the Council 39 as follows: 40 (a) One representative of public higher education in this State; 41 (b) One representative of public elementary and secondary 42 education in this State; 43 (c) One representative of private business in this State; and

44 (d) One member who is a parent of a pupil enrolled in a public 45 school in this State or of a student enrolled in the System. The

1 parent must not be employed by the board of trustees of a school 2 district, the governing body of a charter school or the System. 3 3. The Majority Leader of the Senate and the Speaker of the 4 Assembly shall each appoint one member to the Council who is: 5 (a) A member of the House of the Legislature that he or she 6 represents; 7 (b) A person who meets the qualifications of paragraph (a), (b) 8 or (c) of subsection 2; or 9 (c) A member of the general public. 10 4. The Governor or his or her designee shall: 11 (a) Serve as a voting member of the Council and as Chair of 12 the Council; and 13 (b) Appoint a member of the Council to serve as Vice Chair of 14 the Council. 15 \_ The Vice Chair serves in the office of Vice Chair for 2 years 16 beginning on July 1 of each odd-numbered year. If a vacancy 17 occurs in the office of Vice Chair, the Governor or his or her 18 designee shall select a member to fill the vacancy to serve for the 19 remainder of the unexpired term of that office. 20 5. Other than the Chair, after the initial terms, each voting 21 member of the Council serves a term of 3 years commencing on 22 July 1 of the year of appointment. Such members may be 23 reappointed for one additional term. A vacancy on the Council 24 must be filled for the remainder of the unexpired term in the same 25 manner as the original appointment. Each member of the Council 26 continues in office until his or her successor is appointed. 27 6. Any member who is absent from two consecutive meetings 28 of the Council without permission of the Chair: 29 (a) Forfeits his or her membership on the Council; and 30 (b) Must be replaced as provided in subsection 5 for the filling 31 of a vacancy. 32 Sec. 6. 1. The Council shall meet at least once each 33 calendar quarter and as frequently as necessary to afford the 34 general public, representatives of governmental agencies and 35 representatives of educational and business organizations an 36 opportunity to present information and recommendations relating 37 to the coordination among public elementary, secondary and 38 postsecondary education. 39 2. The Council shall comply with the provisions of chapter 40 **241** of NRS. 41 3. For each day or portion of a day during which a member

42 of the Council attends a meeting of the Council or is otherwise

44 (a) The members who are appointed by the Majority Leader of 45 the Senate and the Speaker of the Assembly who are Legislators, if

43 engaged in the business of the Council:

1 any, are entitled to receive the compensation provided for a 2 majority of the members of the Legislature during the first 60 days 3 of the preceding regular session plus the per diem allowance 4 provided for state officers and employees generally and the travel 5 expenses provided pursuant to NRS 218A.655, payable from the 6 Legislative Fund.

7 (b) The members who are appointed by the Majority Leader of 8 the Senate and the Speaker of the Assembly who are not 9 Legislators, if any, are entitled to receive the per diem allowance 10 and travel expenses provided for state officers and employees 11 generally, payable from the Legislative Fund.

12 (c) The members who are appointed by the Governor are
13 entitled to receive the per diem allowance and travel expenses
14 provided for state officers and employees generally, payable as
15 other claims against the State are paid.

16 4. The Office of the Governor shall provide:

17 (a) Administrative support;

18 (b) Equipment; and

19 (c) Office space,

20 \_ as is necessary for the Council to carry out its duties.

21 5. The Board of Regents of the University of Nevada and the

22 Department shall provide technical assistance to the Council upon

23 the request of the Chair.

24 Sec. 7. 1. The Council shall address:

25 (a) Methods to ensure the successful transition of pupils from:

(1) Preschool to elementary school;

26 (2) Elementary school to middle school;

27 (3) Middle school to high school;

28 (4) High school to postsecondary and/or postgraduate education; and

(5) High school or postsecondary/postgraduate education to the workforce,

29 \_ including, without limitation, methods to increase parental 30 involvement.

31 (b) Methods to ensure that the automated system of

32 accountability information for Nevada for the pupils enrolled in

33 the public schools established pursuant to NRS 386.650 is linked,

34 to the extent feasible, with the data information system for the

35 students enrolled in the System.

36 (c) Methods to ensure that the course work, standards and

37 assessments required of pupils in secondary schools is aligned

38 with the workload expected of students at the postsecondary level.

39 (d) Methods to ensure collaboration among the business

40 community, members of the educational community and political

41 leaders to set forth a process for developing strategies for the

42 growth and diversification of the economy of this State.

43 (e) Policies relating to workforce development, employment

44 needs of private employers and workforce shortages in

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1 occupations critical to the education, health and safety of the
2 residents of this State.
 (f) Development and policy oversight of a P-20W statewide longitudinal data system linking
preschool, K-12 and higher education data with postsecondary and workforce data.
3 (g) Other matters within the scope of the Council as
4 determined necessary or appropriate by the Council.
5 2. The Council may:
6 (a) Establish advisory committees to assist the Council in
7 carrying out its duties.
8 (b) Apply for any available grants and may accept any gifts,
9 grants and donations from any source to assist the Council in
10 carrying out its duties.
11 Sec. 8. On or before June 30 of each year, the Council shall
12 submit a written report of its activities and any recommendations
  1. Governor's office.
14 2. Board of Regents of the University of Nevada.
15 3. State Board.
16 4. Director of the Legislative Counsel Bureau for transmittal
18 (a) In even-numbered years, the next regular session of the
19 Legislature; and
20 (b) In odd-numbered years, the Legislative Committee on
21 Education.
22 Sec. 9. NRS 400.010, 400.015, 400.020, 400.025, 400.030,
23 400.035, 400.040 and 400.045 are hereby repealed.
24 Sec. 10. The terms of all members appointed to the P-16
25 Advisory Council created by NRS 400.030 who are incumbent on
26 June 30, [2011] 2013, expire on that date.
27 Sec. 11. 1. On or before September 1, [2011] 2013, the Governor
28 shall, pursuant to subsection 2 of section 5 of this act, appoint to the
29 P-20 Leadership Council created by that section:
30 (a) Two members to terms commencing on September 1, [2011] 2013,
31 and expiring on June 30, [2013] 2015.
32 (b) Two members to terms commencing on September 1, [2011] 2013,
33 and expiring on June 30, [2014] 2016.
34 2. On or before September 1, [2011] 2013, the Majority Leader of the
35 Senate shall, pursuant to subsection 3 of section 5 of this act,
36 appoint to the P-20 Leadership Council created by that section one
37 member to a term commencing on September 1, [2011] 2013, and expiring
38 on June 30, [2013] 2015.
39 3. On or before September 1, [2011] 2013, the Speaker of the
40 Assembly shall, pursuant to subsection 3 of section 5 of this act,
41 appoint to the P-20 Leadership Council created by that section one
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42 member to a term commencing on September 1, [2011] 2013, and expiring

44 Sec. 12. This act becomes effective on July 1, [2011] 2013.

43 on June 30, [2014] 2016.

LEADLINES OF REPEALED SECTIONS
400.010 Definitions.
400.015 "Council" defined.
400.020 "System" defined.
400.025 Legislative declaration.
400.030 Creation; membership; terms; vacancies.
400.035 Meetings; compensation of members; administrative support and other assistance.
400.040 Powers and duties.
400.045 Annual report.